

REMARKS/ARGUMENTS

Applicant filed a response on 10 May 2005 to the Office Action dated 10 February 2005. At that time Applicant advised the Examining Attorney that a Supplemental Response would be forthcoming. Afterward, Applicant attempted a telephone interview with the Examining Attorney to discover that he was on an extended leave until 8 August 2005. Applicant filed its Supplemental Response by facsimile on 5 August 2005. The Examining Attorney issued his Office Action dated 11 August 2005 thereafter, addressing the amendment filed 10 May 2005. In a telephone interview on 19 August 2005, Applicant's attorney advised the Examining Attorney of the intervening Supplemental Amendment and requested consideration of same. The Examining Attorney advised the Applicant's attorney that consideration would not be had unless the amendment were refiled as responsive to the 11 August 2005 Office Action. The present amendment is filed as responsive to the 11 August 2005 Office Action.

Claims 1-16 are currently pending in the application.

Claims 1 and 7 are presently amended. Claim 16 is newly added. Claims 2 and 3 are cancelled. Claim 13 was indicated as allowable by the Examiner in the 10 February 2005 Office Action, but objected to as dependent upon a rejected base claim. New claim 16 offers the elements of claim 13, intervening claim 12 and original claim 1 in independent form. Claims 1, 2, and 11-15 were rejected by the Examiner. Claims 3-10 were indicated as allowable if rewritten in independent form. The rejections are respectfully traversed.

The Applicant has in this response inserted the elements of Claims 2 and 3 into independent Claim 1 since the Examiner has indicated Claim 3 as allowable if rewritten in independent form. Therefore it is believed that all claims depending from newly amended Claim 1 (Claims 4-14) are also allowable.

The Examining Attorney indicated in his 10 February 2005 Office Action that Claim 13 would be allowable if rewritten in independent form. The elements of Claim 13, intervening Claim 12 are essentially rewritten in independent form as Claim 15. Since the Examining Attorney had indicated Claim 13 as allowable, the Applicant believes that new Claim 15 is allowable. However, the Examiner has indicated in his latest office action that Claim 13 is anticipated by Rettenweber '423, but has not provided in his analysis why Claim 13 is not allowable (page 3, skipping over Claim 13, discussing Claims 12 and 14). Since Rettenweber '423 does not disclose a "first strut is formed by a plate, wherein one of said wheels is mounted in a first corner of said-plate, wherein a second corner of said plate is rotatably mounted on said frame, and wherein said second strut is rotatably mounted in a third corner of said plate", the Applicant respectfully suggests that Claim 13 was erroneously rejected. The Applicant respectfully traverses that rejection (and its potential application to new Claim 15).

With regard to the Examiner's specific arguments regarding the rejection of Claim 15, the Applicant respectfully points out that '423 discloses braces 4 and 9, the first brace 4 being held at pivot point 5 in the frame of the cutting wheel (Col. 3, lines 13-14). The second brace 9 is held at swivel joint 8 in the first brace 4 and at swivel joint 10 on lever 12 (Col. 3, lines 29-32). Therefore, the second brace 9 connects to

first brace 4 with lever 12 to cause wheel movement of the first brace around pivot point 5. Wheel 6 is fastened on brace 4, not frame 3, while the second brace 9 is not on the frame 3, but fixed only on brace 4 and lever 12. Claim 1, as amended sets forth the following:

15. A guide cart for an implement, comprising:
a frame on which are disposed at least three wheels;

a first strut and a second strut for effecting mounting of at least one of said wheels on said frame, wherein said first strut is rotatably mounted on said frame, and wherein said second strut is rotatably mounted on said first strut, and wherein for a mounting of said second strut on said frame at least two spaced-apart mounting points are provided, and wherein said first strut is formed by a plate, wherein one of said wheels is mounted in a first corner of said plate, wherein a second corner of said plate is rotatably mounted on said frame, and wherein said second strut is rotatably mounted in a third corner of said plate.

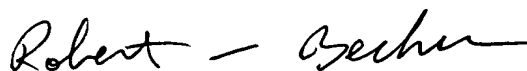
The claim sets forth a frame having a first strut and second strut with at least three wheels disposed on the frame. Rettenwebber does not disclose such. One wheel is not even disposed on the frame. Further, Rettenwebber discloses its second brace as attached to the first strut and an independent lever, not the frame as is required by the elements set forth in the present claim. As such, the claim cannot be anticipated by Rettenwebber '423.

With regard to new Claim 16, the claim essentially contains most of the elements Claims 1, 3, and 7, of which the Examiner indicated Claims 3 and 7 would

be allowable if rewritten in independent form. The Applicant therefore believes that Claim 16 is allowable and requests entry of same.

The Applicant believes that all claims should now be in line for allowance. The Applicant has attempted to be fully responsive to the office action through its amendment filed on 10 May 2005 and the present amendment. However, if the Examiner has additional suggestions or comments, the undersigned would very much welcome a telephone call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Becker", with a stylized flourish at the end.

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